REMARKS

Claims 1 – 8, 10 - 17, 20 - 35, and 46 - 50 were pending in the instant application when last examined. Claims 1 - 8, 10 - 17, 20 - 35, and 46 - 50 were rejected. New claims 51 - 57 directed to the embodiments illustrated by FIG. 12 are added. No new matter is being added and claims 1 - 8, 10 - 17, 20 - 35, and 46 - 57 are pending in the instant application. Reconsideration and allowance are respectfully requested.

Rejections under 35 U.S.C. § 112

In items 3 – 5 on pages 4 - 5, the Office Action rejected claims 1 – 8, 10 – 17, 20 – 35 under 35 U.S.C. § 112, first paragraph, "as failing to comply with the enablement requirement." Applicants respectfully traverse.

The Office Action asserts that the disclosure is inadequate in that "The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention." Specifically, the Office Action asserts that "There is no mention as to 'first concept centric subject model' or 'concept centric model that enables concept centric processing' and therefore is not enabling to one of ordinary skill in the art."

Applicants respectfully object to the Office Action's unsupported assertions and disagree with the Office Action's (1) basis for so asserting and (2) conclusions drawn therefrom.

First, the Office Action has offered NO evidence whatsoever regarding the level of skill in ANY art, let alone the art or arts that should properly be considered with regard to the present invention. Given, however, that the Office Action points to "a concept centric model that enables concept centric processing", the Office Action's basis is apparently that considering that the following definition in Applicant's specification was not sufficient to enable one of ordinary skill in the art.

In contradiction thereof, Applicants offer that that the specification, on page 13: lines 1 – 3, provides the following definition of a derived subject model with concept centric entity (in this example, a product):

> Derived subject model 601 comprises a plurality of relationships between a plurality of groups and information entities in database 101, and illustrated by logical model 501, which provides a product centric view. The [example] derived subject model 601 comprises a central concept 607 of a product. A product categories entity 608 comprises category and other information about the product entity 607... (emphasis added)

Further, Applicants offer that the specification provides two concrete examples of derived subject models, a first example that uses a centric entity of a customer (See, e.g., specification, page 10, lines 3 – 5: Logical model 201 provides a customer centric view, with the center concept 202 being customer. Accordingly, the derived subject model 301 comprises a customer entity 302...), and a second example that uses a centric entity of a product (See e.g., specification, page 12, line 31 – page 13 line 1: Derived subject model 601 comprises a plurality of relationships between a plurality of groups and information entities in database 101, and illustrated by logical model 501, which provides a product centric view...). Applicant's respectfully urge that 35 USC § 112 does not require an exhaustive list of all possible embodiments. Rather, the whole of the present application, which therefore includes such disclosures, is indeed sufficient under 35 USC § 112.

In item 6 on pages 4 - 5, the Office Action rejected claims 1, 10, 20 and 28 under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Applicants respectfully traverse.

The Office Action asserts that the claims are flawed in that "the term 'first concept centric subject model' in claims 1, 10, 20 and 28, is relative which renders the claim indefinite.

Because the specification provides concrete examples of two derived subject models, one using a centric entity of a customer (See, e.g., specification, page 10, lines 3 – 5: customer centric) and another having a centric entity of a product (See e.g., specification, page 12, line 31 – page 13 line 1: product centric), Applicant respectfully asserts that there is sufficient basis for one of ordinary skill in the art to be reasonably apprised of the meaning of "concept centric" recited by the claim.

Accordingly, withdrawal of the rejections and early allowance of the pending claims are respectfully solicited for at least the foregoing reasons.

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Rejection under 35 U.S.C. § 103(a) over

Kingberg i.v.o. Durfinger

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On pages 5 through 11, the Office Action rejected Claims 1 – 4, 7 – 8, 10 – 13, 16, 17, 20 – 23, 26 – 31, 34 – 35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,734,887 to Kingberg et al. ("Kingberg") in view of U.S. Patent No. 5,713,014 to Kevin Durflinger et al. ("Durflinger"). Applicant respectfully traverses.

In item 3 on page 4, the office action argues that:

> It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Kingberg with the teaching of Durflinger to produce DBMS that supports application programs interfaces which can present to its users a variety of logical models using industry-standard interfaces, while the physical storage of data is managed in manner that closely follows the data model. The advantage is that this system stores complex data according to entity-relationship data model wherein only related data objects are stored for each set relationship.

In view of the present invention, Applicant fully agrees with the Examiner that embodiments of the invention may indeed provide for deriving concept or entity centric models from a plurality of logical models, or modifying the Durflinger reference to include derived subject models that are concept centric, however, such is NOT in the asserted Kingberg/Durflinger combination. Because neither Kingberg nor Durflinger, alone or in any combination teach, suggest or otherwise render obvious such determining derived subject models with a central concept, and because modifications to Durflinger to do so would change Durflinger's principle of operation in a manner contrary to their stated purpose, **the idea to do so must be drawn via impermissible hindsight from the present application.**

Durflinger teaches techniques for displaying to users a variety of logical models, or views of stored data, using industry-standard interfaces, while physical storage of data is managed in a manner that closely follows the data model. (Abstract). Durflinger states that their system is intended to provide rapid, efficient creation and modification of a virtual world:

Kingberg makes clear that Kingberg does not, however, teach, suggest or otherwise render obvious providing a derived subject model, and instead, merely provides a physical mapping of user terms for database tables and columns to actual locations in the physical database, as stated in the example of the instant specification:

> The Logical Data Access Layer determines which of the physical tables and associated columns are required to satisfy the Application request and then builds one or more database query statements containing the appropriate physical table and column names. (Kingberg, Abstract)

Because Durflinger's system is intended to provide efficient physical storage of data relationships in a DBMS, modifying their system to include deriving concept or entity centric models from logical models, which would waste space that would otherwise be used for storing the data, or adding concept centricity to their logical models, which would re-organize data into new relationships, rather store complex data efficiently (i.e., it would waste time and storage) would require modifications to Durflinger's purpose as well as Durflinger's principle of operation to do so because such modifications would NECESSARILY affect Durflinger's system contrary to their stated purpose: the efficient storage of data according to existing relationships. Therefore, the idea to so modify Durflinger must be drawn via impermissible hindsight from the present application.

For at least this reason, the rejection is improper and should be withdrawn.

Claims 10, 20 and 28

Claims 10, 20 and 28, while independently patentable, are also patentable for the same reasons described above with respect to Claim 1. Therefore, based on at least the reasons stated above with respect to Claim 1, the applicant respectfully submits that Claims 10, 20 and 28 are patentable over Kingberg and Durflinger.

Claims 2 – 8, 11 - 17, 21 – 27, 29 - 35, and 46 - 50

Claims 2 – 8, 11 - 17, 21 – 27, 29 - 35, and 46 - 50 are dependent claims depending directly or indirectly from claims 1, 10, 20 and 28. Therefore claims 2 – 8, 11 - 17, 21 – 27, 29 - 35, and 46 - 50 are patentable over Kingberg and Durflinger for at least the same reasons that claims 1, 10, 20 and 28 are

patentable over Kingberg and Durflinger.

Rejection under 35 U.S.C. § 103(a) over
Kingberg in view of OLAP Council and Kingberg in view of Durflinger

On page 12, the Office Action rejected claims 5, 14, 24 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Kingberg in view of Durflinger and further in view of "The OLAP COUNCIL, OLAP and OLAP Server Definitions," published by the OLAP Council, Copyright 1995. ("OLAP Council Publication").

On pages 13 – 16, the Office Action rejected claims 6, 15, 25, 33 and 46 - 50 under 35 U.S.C. § 103(a) as being unpatentable over Kingberg in view of Durflinger and further in view of U.S. Patent No. 6,490,590 to Ronald Fink ("Fink"). Applicant respectfully traverses.

Neither Fink nor OLAP Counsel can remedy the shortcomings of Kingberg and Durflinger in failing to teach, suggest or otherwise render obvious the embodiments of claims 1 – 4, 7 – 8, 10 – 13, 16, 17, 20 – 23, 26 – 31, 34 – 35. Because claims 5 - 6, 14 - 15, 24 – 25, 32 - 33 and 46 – 50 depend either directly or indirectly from these claims, the asserted combinations of Fink OLAP Counsel with Kingberg and Durflinger fail to teach, suggest or otherwise render obvious the embodiments recited by claims 5 - 6, 14 - 15, 24 – 25, 32 - 33 and 46 - 50.

Therefore, Applicant respectfully requests: (1) withdrawal of the rejections; (2) withdrawal of Kingberg, Durflinger, Fink and OLAP Council Publication from further consideration as references; and (3) allowance of the claims.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Dated: April 18, 2005

By _____
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